

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the **PATENT APPLICATION** of:

Farley et al.

Application No.: 09/630,024

Confirmation No.: 4041

Filed: July 31, 2000

For: METHOD AND APPARATUS FOR
WIRELESS ROUTER MULTICAST

Group: 2618

Examiner: Richard Chan

Our File: TAN-2-1502.01.US

Date: March 1, 2010

**ARGUMENTS ACCOMPANYING PRE-APPEAL BRIEF
REQUEST FOR REVIEW**

Mail Stop Amendment (via EFS)
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

A Pre-Appeal Brief Review is hereby requested in the above-identified patent application for the following reasons:

Claims 44, 49 and 59 are rejected under 35 U.S.C. 103(a) as allegedly being unpatentable over U.S. Patent No. 6,141,347 to Shaughnessy (hereinafter Shanughnessy) in view of WO 01 82645 to Emilsson (hereinafter Emilsson). Claims 45-50, 53-57, 62-64, and 68-72 and 60 are rejected under 35 U.S.C. 103(a) as allegedly being unpatentable over U.S. Patent No. 6,141,347 to Shaughnessy in view of WO 01 82645 to Emilsson and further in view of U.S. Patent No. 5,930,248

to Langlet (hereinafter Langlet). Claims 51, 52, 58, 66 and 67 are rejected under 35 U.S.C. 103(a) as allegedly being unpatentable over U.S. Patent No. 6,141,347 to Shaughnessy and U.S. Patent No. 5, 930,248 to Langlet WO 0182645) [sic] in view of Emilsson applied to claims 1, 13, and 29-31, above and further over U.S. Patent No. 6,308,079 in view of Pan et al., (hereinafter Pan).

The Examiner states, in the Office Action dated April 21, 2009, that Shaughnessy fails to disclose, teach or suggest receiving a multicast group paging message via a first one of a plurality of wireless channels, the multicast group paging message indicating a second one of the plurality of wireless channels over which to receive a multicast message as recited in claim 44.

The Examiner on page 4 of the current Office Action states that

“Emilsson teaches each user terminal is informed in a paging message sent to the user terminal in advance as to which channel to receive the combined message (specifically, a paging message indicative of said allocated wireless channel over which to receive the multicast message, see Emilsson page 5, lines 11-21, page 5, line 32- page 6, line 6 and page 6, lines 25-29 and page 11 lines 34-36 teaches a first channel wherein encrypted keys to codes are broadcasted on said broadcast carrier. And then on page 12, lines 8-12 a second channel is implemented to transmit entitlement information from the network on a second control data channel.)[sic]”

Emilsson does not disclose, teach, or suggest *receiving a multicast group paging message via a first one of a plurality of wireless channels, the multicast group paging message indicating a second one of the plurality of wireless channels over which to receive a multicast message that is associated with at least one connection identifier*, as claimed in independent claim 44.

Instead, Emilsson page 5, lines 11-21 teaches that the base station transmits data on a broadcast channel for all mobiles stations. The subscriber specific data is encoded by a key by a coding device in the base station and transmitted on a cell broadcast data channel. Emilsson page 5, line 32-page 6, line 6 teaches the subscriber specific data is encoded by a key and transmitted on a cell broadcast data channel that can be received by a select group that has the encryption key. Emilsson page 11 line 34-36 teaches transmitting an encryption key on a first cell broadcast control data channel. Emilsson page 12 lines 8-12 teaches transmitting encrypted entitlement information on a second cell broadcast control data channel which is decrypted by the subscriber's mobile station. The term "entitlement information" has two meanings: the first, as indirectly defined on page 8 of Emilsson, used as an encryption key; the second, on page 12, lines 23-28, used for specific services for a specific user or group, for example, as the time of validity for a subscription.

Pending claim 44 recites, in part, "receiving a multicast group paging message via a first one of a plurality of wireless channels, the multicast group paging message indicating a second one of the plurality of wireless channels over which to receive a multicast message that is associated with at least one connection identifier." The claimed *multicast message is associated with at least one connection identifier such as a multicast group address, where as the "entitlement information" provides an authority to receive subscriber specific data.*

Entitlement information is an encryption key used by the subscribers stations to receive data related to specific services. Only the subscribers stations that have received the key will be able to decipher the data. Entitlement

information as taught by Emilsson is therefore not equivalent to the claimed *connection identifier*.

The examiner on page 5 of the current Office Action states that “Langlet teaches the same one of said wireless channels (see col. 5, line 34- col. 6, line 11 and col. 6, lines 55-64, where Langlet is discussing using one channel just for multicast messages).” Langlet is directed to allocating multicast and non-multicast channels based on the propagation property of an RF link between a mobile unit and a base station. Langlet fails to disclose “receiving a multicast group paging message via a first one of a plurality of wireless channels, the multicast group paging message indicating a second one of the plurality of wireless channels over which to receive a multicast message that is associated with at least one connection identifier,” as recited in claim 44.

Independent claims 49, 59 and 64 include features similar to claim 44. Accordingly, claims 49, 59 and 64 are also allowable over the combination of Shaughnessy, Emilsson and Langlet for at least same reasons provided above.

Claims 45-48 depend upon independent claim 44. Claims 50 and 53-57 depend upon independent claim 49. Claims 60 and 62-63 depend upon independent claim 59. Claims 68-72 depend upon independent claim 64. Accordingly, these claims are allowable over the cited references of record for the same reasons provided above.

Claims 51, 52 and 58 depend upon independent claim 49, and claims 66 and 67 depend upon independent claim 64. Accordingly, these claims are allowable over the cited references of record for the reasons provided above.

For the above reasons, withdrawal of the rejection of claims 44-57, 59, 62, 64,66-72 over Shaughnessy in view of Emilsson, and further in view of Langlet is respectfully requested. In connection with the withdrawal of the rejection of claims 44-57, 59, 62, 64,66-72, Applicants respectfully request entry of the previously filed amendment after final, thus putting the claims in condition for allowance and mooting the present appeal.

Respectfully submitted,

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